

FILED 09 DEC '13 12:59 USDC-ORE

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

Justin Wayne Pruett

(Enter full name of plaintiff(s))

Civil Case No. 6:13-cv-2157-BR
(to be assigned by Clerk of the Court)

Plaintiff(s),

PRISONER CIVIL RIGHTS
COMPLAINT

v.

Tim Mueller (Linn Co Sheriff) Captain Baggot (Linn Co Captain) Sgt Schrader (Linn Co 1st Sgt)
Sgt Langley (Linn Co 1st Sgt) Sgt Taylor (Sgt) Marylynn Stutzman (Linn Co Nurse Supervisor)
Doctor Moran (Linn Co Doctor) Don Nelson (Linn Co Mental Health) Ben Newman (Linn Co
Psychiatric Nurse Practitioner)
(Enter full name of ALL defendant(s))

Defendant(s).

I.

- A. Have you brought any other action or appeal in a court of the United States while a prisoner?

Yes ☐

No ☒

- B. If your answer to A is yes, how many? _____. Describe the lawsuit(s) in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

2. Court: _____
3. Docket Number: _____
4. Name of judge to whom case was assigned: _____
5. Disposition (Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing: _____
7. Approximate date of disposition: _____

II.

- A. Place of confinement: Linn Co. Jail 1115 Jackson St S.E.
Albany OR 97322
- B. Is there a prisoner grievance procedure in this institution?

Yes ☒

No ☐

- C. Have you filed a grievance concerning the facts relating to this complaint?

Yes ☒

No ☐

If your answer is no, explain why not:

- D. Is the grievance process completed?

Yes ☒

No ☐

III. PARTIES

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff: Justin Wayne Pruett
 Security Identification No.: 12146789
 Address: 1115 Jackson St S.E.
Albany OR 97322

(In item B, place the full name of each defendant, his/her official position, and his/her place of employment.)

B. Defendant Tim Mueller is employed as Head Sheriff
 at Linn Co Jail 1115 Jackson St S.E.
Albany, OR, 97322

Defendant Captain Baggett is employed as Captain
 at Linn Co Jail 1115 Jackson St. S.E.
Albany OR, 97322

Defendant (1st) Sgt Schrader is employed as 1st Sgt
 at Linn Co Jail 1115 Jackson St S.E.
Albany, OR. 97322

Defendant (1st) Sgt Langley is employed as 1st Sgt
 at Linn Co. Jail 1115 Jackson St S.E.
Albany. OR. 97322

Defendant Sgt Taylor is employed as Sgt
 at Linn Co. Jail 1115 Jackson St. S.E.
Albany OR 97322

Additional defendants: Mary Lynn Stutzman (Nurse Supervisor), Dr Morgan
(Linn Co's Doctor), Don Nelson (Mental Health), Ben Newman (Psychiatric Nurse
All the Additional Defendants
Can Be Reached at 1115 Jackson St. S.E.
Albany OR 97322

IV. STATEMENT OF CLAIM

Claim I

State what right under the Constitution, laws, or treaties of the United States has been violated.

The right to be treated fairly, free of discrimination, mental & emotional abuse, and disrespect. Should not be forced or have to endure cruel & unusual punishment. The right to receive proper and adequate medical attention & not be ignored.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

On August 20, 2013 I was sent to Linn Co Jail where I immediately informed them of medical issues I was having. I informed them of a bicycle accident which occurred on June 25th when I was initially arrested & taken into custody at Marion Co Jail.

I sent Kyles and the doctor he would not listen to my problems & or issue a bone scan or x-ray even when I expressed I feel my arm is broken.

I had to endure not only the physical pain I was suffering but as well the mental & emotional pain I was as well suffering from the pain in my lower back & wrist. As well the reaction the deputies gave me after my seeking medical attention.

I was sent to (CST) on October 11, 2013 where again I expressed that I have trouble with my right wrist and felt it may be possibly broken. They took an x-ray which showed I had a fracture & my wrist was broken.

Claim II

State what right under the Constitution, laws, or treaties of the United States has been violated.

To receive proper & adequate Mental Health treatment,
Not to be subject to cruel & unusual punishment inflicted on
And or other things under (8th amendment)

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

The following Don Nelson & Ben Newman have denied me two medications in which I truly need and without do not function properly & my history can show exactly that in which I am saying.

There is clearly stated history on my ADD-ADHD among many other issues. I was recently told by doctor chi at (OSH) he wanted to start me on aderal but first wanted to make sure LinnCo would continue the medication. When I got to Linn Co Jail Ben Newman refused to put me on aderal & adakus both medications which I need and feel may help me in a balance to be normal.

When asked why "he" as in Ben Newman continues to refuse me medications I need & could make my life better & without make my life hell, Ben Newman stated because others have mis-used the medications. When I said I am not others & would be greiving the issue Ben Newman "said go ahead because he don't fall under the jails rules."

Claim III

State what right under the Constitution, laws, or treaties of the United States has been violated.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

(If you have additional claims, describe them on another piece of paper, using the same outline.)

V. RELIEF

State briefly exactly relief you are seeking. Make no legal arguments. Cite no cases or statutes.

- 1) I am asking that all legal cost for filing fees, Attorney fees, Court fees, et cetera be paid by the Defendants ~~and~~
- 2) I am filing for a sum of money to be later determined.
- 3) I ask the courts for a full investigation of the discrimination & harassment to stop, And medical to reimburse the money they have charged me.
- 4) I ask that Sheriff Tim Mueller Capt Baggett & others be held accountable.
- 5) As well mental Health Ben Newman be investigated, fined, et cetera.
- 6) And possibly other penalties later to be considered.

Signed this 3 day of December, 2013.

Justin W. Pruett

(Signature of Plaintiff(s))